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AT THE 1274th MEETING OF THE OSCE PERMANENT COUNCIL**

9 July 2020

On racism and police violence in the United States of America

Mr. Chairperson,

For more than a month and a half since the murder of George Floyd by police officers, popular unrest has not subsided in many cities in the United States of America. We already raised this matter in the Permanent Council just over a month ago (4 June), but since then the situation has only worsened.

Lawlessness has already reached such a level that there are children among the victims of the protests. Last weekend, as a result of the massive unrest, at least two children aged 7 and 14 years were killed by gunfire in Chicago, and an eight-year-old girl was shot in Atlanta. On Independence Day, at least 17 people died from gunshot wounds in Chicago and New York, and more than 100 were wounded. Apart from people, property is also suffering and monuments are being destroyed.

At the same time, the “guardians of order” are conducting widespread mass arrests of protesters, and using rubber bullets, tear gas, stun grenades and other riot gear against them. According to Amnesty International estimates, from 25 May to 5 June, 125 cases of disproportionate use of force against protesters, journalists and passers-by were recorded in 40 cities in the United States – and not only against aggressive participants but everyone indiscriminately.

Reporters covering the events are also suffering. According to the US Press Freedom Tracker, between 26 May and 1 July, there were over 484 incidents involving journalists, including more than 64 arrests, 67 police attacks, and 68 cases of tear-gas spraying and the like. And these are only the recorded cases.

Moreover, just a month ago, some US publications reported cases of unprecedented pressure and violence in connection with reporters. For example, *The New York Times* reported 100 cases of gross violation of journalists’ rights during protests. The arrests of the well-known photographer Bruce Davidson, a CNN film crew in Minneapolis, Tyler Blint-Welsh of *The Wall Street Journal*, Hyoung Chang of *The Denver Post*, Carolyn Cole of *The Los Angeles Times*, and others gave rise to indignation.

Of course, there are also plenty of reports of attacks on law enforcement officers by members of the Black Lives Matter movement, which we strongly condemn. However, this in no way justifies the excessive use of police force against peaceful demonstrators.

Authoritative international human rights structures are sounding the alarm. On 3 June, the United Nations High Commissioner for Human Rights, Michelle Bachelet, called on the US Government to unequivocally condemn the structural racism that blights US society, and to take action to tackle inequalities. For its part, the Committee on the Elimination of Racial Discrimination has activated its early-warning procedure in connection with the mass protests against racism in the United States.

Furthermore, at the initiative of the Group of African States, an urgent debate on human rights violations, systematic racism, police violence and violence against peaceful protests in the United States was held during the resumed 43rd session of the United Nations Human Rights Council. It resulted in the adoption on 19 June of a resolution entitled “The promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers”. The document suggests, in particular, that the United Nations High Commissioner for Human Rights, with the support of the United Nations special procedures, prepare a report on systemic racism and violations of international human rights obligations by law enforcement agencies against Africans and people of African descent, especially the incidents leading to the death of George Floyd. According to the resolution, the High Commissioner should examine the US authorities’ response to the anti-racism protests, including the alleged use of excessive force against protesters.

The criticism by international human rights defenders is understandable. The reaction of the US authorities to the demonstrations violates a number of norms of national legislation and international law. First of all, the First and Fourth Amendments to the US Constitution, which guarantee freedom of speech and assembly, and also protect citizens from unjustified detention, are being grossly violated.

The guarantees of the rights of African Americans as a racial minority under Articles 2 and 15 of the International Convention on the Elimination of All Forms of Racial Discrimination remain an empty promise. Outright police brutality, coupled with the disproportionate use of force against peaceful demonstrators, is contrary to Articles 5, 6, 9, 10, 19 and 21 of the International Covenant on Civil and Political Rights. OSCE commitments, in particular the provisions of the 1990 CSCE Copenhagen Document and the 2003 OSCE Maastricht Document, are being trampled on.

By the way, to complete the picture of racial inequality in the country, it is appropriate to recall the recent report (3 July) by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) on the Needs Assessment Mission regarding observation of the general elections on 3 November this year in the United States. It notes that the situation in the United States disproportionately affects racial minorities, with some 2.2 million African Americans even being denied the right to vote.

Against this background, it is extremely worrying that the United States is still not a party to a number of major international human rights agreements, such as the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child. Moreover, the US Government is deliberately reducing its presence in international human rights formats that do not suit it, for example, the aforementioned United Nations Human Rights Council.

The extent of the unrest in the United States serves as vivid confirmation that the much-touted “beacon of democracy” is not shining so brightly. And to judge by their reaction to what is happening, the population are tired of putting up with the US establishment’s disregard for these chronic problems.

We call on the United States to strictly observe democratic standards and safeguard the rights and freedoms of all citizens in full, regardless of their ethnicity. We trust that all incidents will be investigated conscientiously and that the perpetrators will be brought to justice. We urge the relevant OSCE structures, including the ODIHR, the Representative on Freedom of the Media, the High Commissioner on National Minorities and the Personal Representatives of the Chairperson-in-Office on tolerance, to continue to monitor the situation and report to participating States on the measures taken.

Mr. Chairperson,

In the light of the comments by the distinguished Permanent Representative of the United States, we should like to make some additional remarks on the topic raised today.

George Floyd is not the first – and I fear not the last – victim of arbitrary treatment by the law enforcement bodies in the United States. The reason is obvious – systemic racism, which permeates almost all spheres of life in US society. The report by the ODIHR Needs Assessment Mission of 3 July on the general elections in the United States clearly demonstrates this. The ODIHR experts pointed to the under-representation of racial and ethnic minorities in public office, their difficulties in registering as voters, exacerbated by the coronavirus quarantine, hate speech from high-level politicians against ethnic and racial minorities, not to mention the problem of voter disenfranchisement of millions of African Americans mentioned earlier. I would point out that these complaints reappear year after year in the ODIHR mission reports.

The systemic nature of the problem of racism in the United States can also be seen from statistics. Historically, the unemployment rate among African Americans per 1,000 population is higher than average. Black employees receive only 62 per cent of the average income of white employees: 24,700 versus 42,700 dollars per year. Despite the desegregation of schools over half a century ago, about half of all US children continue to go to “white” or “black” schools, with much less funding per student for “black” schools than “white” schools. In addition, black people in the United States are more likely to be denied mortgages at the same level of income. African Americans are twice as likely as whites to be uninsured, making it harder for them to obtain health care.

The law is also harder on black people. For example, marijuana use among white and African Americans is approximately equal, but the latter are arrested almost four times more frequently. Blacks released on parole from prison are more likely to be monitored by the police. Essentially, African Americans are more likely to be stopped and searched on the street and are often given longer sentences for similar crimes than whites – and so on.

Police violence against blacks also has a long history. Other high-profile tragedies have still not faded from memory – for example, the murder by a police officer in 2014 of the minor Laquan McDonald. The police opened fire despite the fact that the teenager was not making any attempt to attack.

The murder of the unarmed 26-year-old African American Botham Jean in Dallas in September 2018 sparked public protests. Police officer Amber Guyger explained the use of firearms by stating that she took Mr. Jean, who was standing near the door of a neighbouring house, for an intruder trying to enter her home. After the murder, the police officer remained on duty for another two weeks without any penalty.

On 31 October 2018, the Federal Court in Springfield, Massachusetts, initiated proceedings against police officer Gregg Bigda for the excessive use of force in the arrest of minors of Latin American origin and for violations of their rights during interrogation, which took place in the absence of their legal representatives. In addition, the law enforcement officers exerted psychological pressure on the detainees when taking statements.

And, of course, there was the recent shooting of the 26-year-old emergency medical technician Breonna Taylor in Louisville, Kentucky, on 13 March this year.

This is not to mention the massive unjustified use by the police of Tasers and other special devices. Suffice it to recall how on 10 August 2018 in the state of Georgia a police officer used a special device against the 87-year-old Arab woman Martha Bishara. She allegedly ignored commands to drop a knife. According to witnesses, Ms. Bishara did not try to attack but was cutting flowers with a knife on a plot near her house.

All these facts and figures clearly confirm the scale of both racism and police violence in the United States and testify to the fact that the authorities of the country, who constantly harp on about the splendid democracy in the United States, have long and stubbornly ignored this “plank” before their own eyes. It is clear that this cannot go on any more.

Thank you for your attention.